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*Attorneys for Plaintiffs*

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**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF UTAH – SOUTHERN DIVISION**

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COLBY JENKINS, an individual,  
MICHAEL GILLESPIE, an individual,  
MARSHA GILLESPIE, an individual,  
TANNER GILLESPIE, an individual,  
JOSHUA HORLACHER, an individual,  
CAMILLE TOPHAM, an individual,  
RICHARD TOPHAM, an individual,  
KELSIE TOPHAM, an individual,  
LAJUANA ROBINSON, an individual,

Plaintiffs,

vs.

BEAVER COUNTY; GINGER McMULLIN,  
in her official capacity as Clerk/Auditor for  
BEAVER COUNTY; DAVIS COUNTY;  
BRIAN McKENZIE, in his official capacity  
as Clerk/Auditor for DAVIS COUNTY;  
GARFIELD COUNTY; CAMILLE MOORE,  
in her official capacity as Clerk/Auditor for

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**DECLARATION OF  
SCOTT YOUNG, ESQ.**

Case No: 4:24cv63 DN

Judge David Nuffer

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GARFIELD COUNTY; IRON COUNTY; JON WHITTAKER, in his official capacity as Clerk/Auditor for IRON COUNTY; JUAB COUNTY; TANIELLE CALLAWAY, in her official capacity as Clerk/Auditor for JUAB COUNTY; KANE COUNTY; CHAMEILL LAMB, in her official capacity as Clerk/Auditor for KANE COUNTY; MILLARD COUNTY; MARKI ROWLEY, in her official capacity as Clerk/Auditor for MILLARD COUNTY; PIUTE COUNTY; KALI GLEAVE, in her official capacity as Clerk/Auditor for PIUTE COUNTY; SALT LAKE COUNTY; LANNIE K. CHAPMAN, in her official capacity as Clerk/Auditor for SALT LAKE COUNTY; SEVIER COUNTY; STEVEN C. WALL, in his official capacity as Clerk/Auditor for SEVIER COUNTY; TOOELE COUNTY; TRACY SHAW, in her official capacity as Clerk/Auditor for TOOELE COUNTY; WASHINGTON COUNTY; RYAN SULLIVAN, in his official capacity as Clerk/Auditor for WASHINGTON COUNTY; WAYNE COUNTY; FELICIA SNOW, in her official capacity as Clerk/Auditor of WAYNE COUNTY; and, DEIDRE HENDERSON, in her official capacity as the Lieutenant Governor of the State of Utah.

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I, Scott Young, hereby state and declare under penalty of perjury as follows:

1. I am an attorney licensed to practice law in the State of Utah (Bar #10695).
  2. I have been retained by the Plaintiffs to represent them in the above-captioned matter.
  3. On July 17, 2024 at approximately 8:32 p.m., we filed the Complaint in this matter.
- See Dkt. #1.*

4. On July 18, 2024 at approximately 11:56 a.m., we filed a Motion for Temporary Restraining Order and Preliminary Injunction. *See* Dkt. #5.

5. Later that day, July 18, 2024, at 12:43 p.m., the Court issued a Notice that states, in part, “According to the docket, service of the [1] Complaint and [5] Motion has not been completed on any of the named Defendants. When Plaintiffs' counsel has provided proof of service on all Defendants and provided the court with the contact information for each Defendant's counsel, the court will then set a hearing date and provide notice to all parties.” Dkt. #8.

6. Pursuant to the Notice and Fed. R. Civ. P. 65(b)(1)(B), Plaintiffs have made the following efforts to serve the Complaint (Dkt. #1) and Motion for TRO/Preliminary Injunction (Dkt. #5) on the 27 named Defendants:

7. Plaintiffs believe additional notice should not be required and the Court should hear the Motion for TRO/Preliminary Injunction prior to Monday, July 22, 2024 for three reasons. First, the action that is the subject of the Complaint and Motion for TRO/Preliminary Injunction is the certification of the election, which is scheduled to occur on Monday, July 22, 2024. If the election is certified, Plaintiffs, who include citizens whose votes have not been counted and a candidate, will not have their votes counted in the primary election. Second, Plaintiffs have done their best to serve Defendants with the Complaint and Motion, but given the number of the Defendants and the fact that they are scattered across the western part of the State of Utah, the Court should hear this motion even if all Defendants have not been served. Finally, Defendants have filed an amended complaint as a Verified Complaint, which complies with the requirements for issuance of a temporary restraining order without notice pursuant to Fed. R. Civ. P. 65(b)(1)(A).

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 18<sup>th</sup> day of July, 2024 in Salt Lake County, State of Utah.

SPENCER FANE LLP

/s/ Scott Young

A.J. Ferate

Courtney Powell

R. Scott Young

*Attorneys for Plaintiffs*